

U.S. Department of Justice



United States Attorney

Southern District of New York

USDS SDNY

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86 Chambers Street
New York, New York 10007

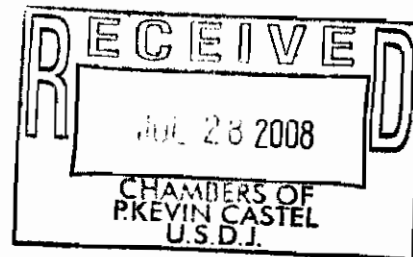
July 25, 2008

MEMO ENDORSED

By Hand

P. Kevin Castel
United States District Court Judge
United States Courthouse
500 Pearl Street, Room 2260
New York, New York 10007

Re: Craig S. Yancy v. Astrue
08 Civ. 4300 (PKC)



Dear Judge Castel:

This Office represents the Commissioner of Social Security, defendant in the above-referenced action. I am writing respectfully to request, nunc pro tunc, an extension of time to respond to the complaint, from July 15, 2008, until September 15, 2008. Due to a clerical error on my part, I did not realize until today that the date set by the Court for the defendant to answer and move with respect to the complaint had passed. I apologize for my oversight. The government needs the additional time to complete its review of the case.

This is defendant's first request for an extension of time in this case. This Office wrote to plaintiff pro se and spoke to him by telephone, but he has not yet decided whether to ~~consent to the~~ government's request.

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

Leslie A. Ramirez-Fisher
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Application for leave to file
response to complaint,
nunc pro tunc, from
July 15, 2008 to September
15, 2008 is GRANTED.

BY

SO ORDERED

P. Kevin Castel, U.S.D.J.
8-4-08

cc: Craig S. Yancey, Plaintiff pro se (By Federal Express)